

116TH CONGRESS  
1ST SESSION

# H. J. RES. 36

Proposing an amendment to the Constitution of the United States relating  
to parental rights.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2019

Mr. BANKS (for himself, Mr. MOONEY of West Virginia, Mr. POSEY, Mrs. HARTZLER, Mr. DUNCAN, Mr. LAMBORN, Mr. BABIN, Mr. OLSON, Mr. WATKINS, Mrs. LESKO, Mr. WRIGHT, Mr. MEADOWS, Mr. BUDD, Mr. LAMALFA, Mr. YOHO, and Mr. WALBERG) submitted the following joint resolution; which was referred to the Committee on the Judiciary

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## JOINT RESOLUTION

Proposing an amendment to the Constitution of the United  
States relating to parental rights.

1       *Resolved by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled*  
3       *(two-thirds of each House concurring therein),* That the fol-  
4       lowing article is proposed as an amendment to the Con-  
5       stitution of the United States, which shall be valid to all  
6       intent and purposes as part of the Constitution when  
7       ratified by the legislatures of three-fourths of the several  
8       States:

1 “ARTICLE —

2 “SECTION 1. The liberty of parents to direct the up-  
3 bringing, education, and care of their children is a funda-  
4 mental right.

5 “SECTION 2. The parental right to direct education  
6 includes the right to choose, as an alternative to public  
7 education, private, religious, or home schools, and the  
8 right to make reasonable choices within public schools for  
9 one’s child.

10 “SECTION 3. Neither the United States nor any State  
11 shall infringe these rights without demonstrating that its  
12 governmental interest as applied to the person is of the  
13 highest order and not otherwise served.

14 “SECTION 4. The parental rights guaranteed by this  
15 article shall not be denied or abridged on account of dis-  
16 ability.

17 “SECTION 5. This article shall not be construed to  
18 apply to a parental action or decision that would end life.”.

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